

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

FABRICE TOURRE,

Defendant.

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: 10 Civ. 3229 (KBF)  
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: ECF Case  
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**DECLARATION OF BRIDGET M. FITZPATRICK**

I, BRIDGET M. FITZPATRICK, an attorney, declare and state as follows:

1. I am a member in good standing of the bar of the District of Columbia, and am employed as an Assistant Chief Litigation Counsel in the Division of Enforcement of the Securities and Exchange Commission ("SEC") at its Washington, D.C. headquarters. I act as a litigation and trial attorney on behalf of the SEC in civil enforcement actions filed against persons and entities alleged to have committed violations of the United States securities laws. I serve as one of the attorneys for the SEC in *Securities and Exchange Commission v. Fabrice Tourre*, Case No. 10 Civ. 3229 (KBF), in the United States District Court for the Southern District of New York. I make this Declaration in support of the SEC's Memorandum in Opposition to Fabrice Tourre's Motions for Judgment as a Matter of Law and a New Trial.

2. Attached as Exhibit 1 is a true and correct copy of excerpts of the transcript of the videotaped deposition of Dean Atkins, dated October 4, 2011, as played to the jury on July 26, 2013.

3. Attached as Exhibit 2 is a true and correct copy of excerpts of the transcript of the videotaped deposition of Michael Nartey, dated November 7, 2011, as played to the jury on July 29, 2013.

4. Attached as Exhibit 3 is a true and correct copy of Trial Exhibit PX-10.
5. Attached as Exhibit 4 is a true and correct copy of Trial Exhibit PX-11.
6. Attached as Exhibit 5 is a true and correct copy of Trial Exhibit PX-13.
7. Attached as Exhibit 6 is a true and correct copy of Trial Exhibit PX-19.
8. Attached as Exhibit 7 is a true and correct copy of Trial Exhibit PX-22.
9. Attached as Exhibit 8 is a true and correct copy of Trial Exhibit PX-23.
10. Attached as Exhibit 9 is a true and correct copy of Trial Exhibit PX-31.
11. Attached as Exhibit 10 is a true and correct copy of Trial Exhibit PX-37.
12. Attached as Exhibit 11 is a true and correct copy of Trial Exhibit PX-43.
13. Attached as Exhibit 12 is a true and correct copy of Trial Exhibit PX-47.
14. Attached as Exhibit 13 is a true and correct copy of Trial Exhibit PX-48.
15. Attached as Exhibit 14 is a true and correct copy of Trial Exhibit PX-49.
16. Attached as Exhibit 15 is a true and correct copy of Trial Exhibit PX-51.
17. Attached as Exhibit 16 is a true and correct copy of Trial Exhibit PX-53.
18. Attached as Exhibit 17 is a true and correct copy of Trial Exhibit PX-56.
19. Attached as Exhibit 18 is a true and correct copy of Trial Exhibit PX-57.
20. Attached as Exhibit 19 is a true and correct copy of Trial Exhibit PX-61.
21. Attached as Exhibit 20 is a true and correct copy of Trial Exhibit PX-62.
22. Attached as Exhibit 21 is a true and correct copy of Trial Exhibit PX-71.
23. Attached as Exhibit 22 is a true and correct copy of Trial Exhibit PX-72.
24. Attached as Exhibit 23 is a true and correct copy of Trial Exhibit PX-82.

25. Attached as Exhibit 24 is a true and correct copy of Trial Exhibit PX-87a. Exhibit PX-87a is a transcript of Exhibit PX-87, a recording that was admitted into evidence and played to the jury.

- 26. Attached as Exhibit 25 is a true and correct copy of Trial Exhibit PX-96.
- 27. Attached as Exhibit 26 is a true and correct copy of Trial Exhibit PX-98.
- 28. Attached as Exhibit 27 is a true and correct copy of Trial Exhibit PX-104.
- 29. Attached as Exhibit 28 is a true and correct copy of Trial Exhibit PX-106.
- 30. Attached as Exhibit 29 is a true and correct copy of Trial Exhibit PX-114.
- 31. Attached as Exhibit 30 is a true and correct copy of Trial Exhibit PX-122.
- 32. Attached as Exhibit 31 is a true and correct copy of Trial Exhibit PX-132.
- 33. Attached as Exhibit 32 is a true and correct copy of Trial Exhibit PX-135.
- 34. Attached as Exhibit 33 is a true and correct copy of Trial Exhibit PX-137.
- 35. Attached as Exhibit 34 is a true and correct copy of Trial Exhibit PX-138.
- 36. Attached as Exhibit 35 is a true and correct copy of Trial Exhibit PX-144.
- 37. Attached as Exhibit 36 is a true and correct copy of Trial Exhibit PX-145.
- 38. Attached as Exhibit 37 is a true and correct copy of Trial Exhibit PX-149.
- 39. Attached as Exhibit 38 is a true and correct copy of Trial Exhibit PX-150.
- 40. Attached as Exhibit 39 is a true and correct copy of Trial Exhibit PX-151.
- 41. Attached as Exhibit 40 is a true and correct copy of Trial Exhibit PX-153.
- 42. Attached as Exhibit 41 is a true and correct copy of Trial Exhibit PX-158.
- 43. Attached as Exhibit 42 is a true and correct copy of Trial Exhibit PX-166.
- 44. Attached as Exhibit 43 is a true and correct copy of Trial Exhibit PX-167.
- 45. Attached as Exhibit 44 is a true and correct copy of Trial Exhibit PX-170.
- 46. Attached as Exhibit 45 is a true and correct copy of Trial Exhibit PX-176.



47. Attached as Exhibit 46 is a true and correct copy of Trial Exhibit PX-180.
48. Attached as Exhibit 47 is a true and correct copy of Trial Exhibit PX-181.
49. Attached as Exhibit 48 is a true and correct copy of Trial Exhibit PX-183.
50. Attached as Exhibit 49 is a true and correct copy of Trial Exhibit PX-186.
51. Attached as Exhibit 50 is a true and correct copy of Trial Exhibit PX-192.
52. Attached as Exhibit 51 is a true and correct copy of Trial Exhibit PX-201.
53. Attached as Exhibit 52 is a true and correct copy of Trial Exhibit PX-202.
54. Attached as Exhibit 53 is a true and correct copy of Trial Exhibit PX-205.
55. Attached as Exhibit 54 is a true and correct copy of Trial Exhibit PX-207.
56. Attached as Exhibit 55 is a true and correct copy of Trial Exhibit PX-208.
57. Attached as Exhibit 56 is a true and correct copy of pages 1-2 of Trial Exhibit PX-213, the attachments to PX-213 have been omitted.
58. Attached as Exhibit 57 is a true and correct copy of pages 1-2 of Trial Exhibit PX-228, the attachments to PX-228 have been omitted.
59. Attached as Exhibit 58 is a true and correct copy of Trial Exhibit PX-232.
60. Attached as Exhibit 59 is a true and correct copy of Trial Exhibit PX-233.
61. Attached as Exhibit 60 is a true and correct copy of pages 1-2 of Trial Exhibit PX-238, the attachments to PX-238 have been omitted.
62. Attached as Exhibit 61 is a true and correct copy of Trial Exhibit PX-240.
63. Attached as Exhibit 62 is a true and correct copy of Trial Exhibit PX-241.
64. Attached as Exhibit 63 is a true and correct copy of Trial Exhibit PX-243.
65. Attached as Exhibit 64 is a true and correct copy of Trial Exhibit PX-244.
66. Attached as Exhibit 65 is a true and correct copy of Trial Exhibit PX-246.
67. Attached as Exhibit 66 is a true and correct copy of Trial Exhibit PX-250.

68. Attached as Exhibit 67 is a true and correct copy of Trial Exhibit PX-256.

69. Attached as Exhibit 68 is a true and correct copy of Trial Exhibit PX-257.

70. Attached as Exhibit 69 is a true and correct copy of pages 1-3 of Trial Exhibit PX-261, the remainder of the attachments to PX-261 have been omitted.

71. Attached as Exhibit 70 is a true and correct copy of Trial Exhibit PX-280.

72. Attached as Exhibit 71 is a true and correct copy of Trial Exhibit PX-286.

73. Attached as Exhibit 72 is a true and correct copy of Trial Exhibit PX-289.

74. Attached as Exhibit 73 is a true and correct copy of Trial Exhibit PX-290.

75. Attached as Exhibit 74 is a true and correct copy of Trial Exhibit PX-300.

76. Attached as Exhibit 75 is a true and correct copy of pages 1-2 of Trial Exhibit PX-302, the attachments to PX-302 have been omitted.

77. Attached as Exhibit 76 is a true and correct copy of Trial Exhibit PX-305.

78. Attached as Exhibit 77 is a true and correct copy of pages 1-3 of Trial Exhibit PX-315, the remainder of the attachments to PX-315 have been omitted.

79. Attached as Exhibit 78 is a true and correct copy of pages 1-3 of Trial Exhibit PX-318, the remainder of the attachments to PX-318 have been omitted.

80. Attached as Exhibit 79 is a true and correct copy of pages 1-2 of Trial Exhibit PX-320, the attachments to PX-320 have been omitted.

81. Attached as Exhibit 80 is a true and correct copy of pages 1-2 of Trial Exhibit PX-322, the attachments to PX-322 have been omitted.

82. Attached as Exhibit 81 is a true and correct copy of Trial Exhibit PX-325.

83. Attached as Exhibit 82 is a true and correct copy of Trial Exhibit PX-326.

84. Attached as Exhibit 83 is a true and correct copy of Trial Exhibit PX-328.

85. Attached as Exhibit 84 is a true and correct copy of page 1 of Trial Exhibit PX-336, the attachments to PX-336 have been omitted.

86. Attached as Exhibit 85 is a true and correct copy of Trial Exhibit PX-346a.

87. Attached as Exhibit 86 is a true and correct copy of Trial Exhibit PX-347.

88. Attached as Exhibit 87 is a true and correct copy of Trial Exhibit PX-351.

89. Attached as Exhibit 88 is a true and correct copy of Trial Exhibit PX-352.

90. Attached as Exhibit 89 is a true and correct copy of Trial Exhibit PX-354.

91. Attached as Exhibit 90 is a true and correct copy of Trial Exhibit PX-361.

92. Attached as Exhibit 91 is a true and correct copy of Trial Exhibit PX-363.

93. Attached as Exhibit 92 is a true and correct copy of Trial Exhibit PX-367.

94. Attached as Exhibit 93 is a true and correct copy of Trial Exhibit PX-369.

95. Attached as Exhibit 94 is a true and correct copy of Trial Exhibit PX-372.

96. Attached as Exhibit 95 is a true and correct copy of pages 1-3 of Trial Exhibit PX-397, the attachments to PX-397 have been omitted.

97. Attached as Exhibit 96 is a true and correct copy of Trial Exhibit PX-398.

98. Attached as Exhibit 97 is a true and correct copy of pages 1-2 of Trial Exhibit PX-399, the attachments to PX-399 have been omitted.

99. Attached as Exhibit 98 is a true and correct copy of Trial Exhibit DX-1028.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 30, 2013.

  
Bridget M. Fitzpatrick